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Legislative Digest

Week of February 12, 2001

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Monday, February 12

*The House will meet at 2:00 p.m. in pro forma session.
No Votes*

Tuesday, February 13

*The House will meet at 12:30 p.m. for morning hour and 2:00 p.m. for legislative business
(No votes expected before 6:00 p.m.)*

Two Suspension Bills:

H.Res. 34	Congratulating the Prime Minister-elect of Israel, Ariel Sharon	p.2
H.R. 2	Social Security and Medicare Lockbox Act.....	p.3

Wednesday, February 14

The House will meet at 10:00 a.m. for legislative business

One Suspension Bill:

H.R. 524	Electronic Commerce Enhancement Act of 2001.....	p.5
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Bills Subject to a Rule:

H.R.____	Rail Passenger Disaster Family Assistance Act.....	p.6
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Thursday, February 15 and Friday, February 16

No Votes

Congratulating the Prime Minister-elect of Israel, Ariel Sharon

H. Res. 34

Committee on International Relations

No Report Filed

The resolution will be introduced by Mr. Hyde on February 13, 2001

Floor Situation:

The House is scheduled to consider H. Res. 34 under suspension of the rules on Tuesday, February 13, 2001. It is debatable for forty minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H. Res. 34 commends the people of Israel for conducting a free and fair election on February 6, 2001. The resolution declares that the election of Ariel Sharon is an example of Israel's commitment to democracy. It calls on Prime Minister-elect Sharon and Palestinian Chairman Yasser Arafat to use their influence to end the violence in the Middle East. The resolution affirms the close bonds of friendship between Israel and the United States, and restates the commitment of the Congress for peace and security in Israel.

Background:

The Israeli Prime Minister is elected on a separate ballot and forms a cabinet (Government) of between eight and 24 Ministers that must win a vote of confidence from the Israeli parliament (Knesset.) Special elections for prime minister are held if a prime minister resigns or receives a vote of no confidence from the Knesset. Elections are held within 60 days of a prime minister's resignation or within 90 days of a no-confidence vote. When the Knesset is dissolved by a vote of no confidence or the prime minister's resignation, party leaders negotiate the date for new elections and usually decide on a date four to six months later.

Troubles with the Palestinian peace process led the former Prime Minister Barak to submit his resignation to President Moshe Katzav on December 10, which made it effective on December 12, 2000. The resignation automatically triggered a special election for prime minister to be held 60 days later, on February 6, 2001. Israeli law provides that a prime minister and his cabinet remain in office as a caretaker government until a new government is installed. Mr. Hyde will introduce the measure on Tuesday, February 13, 2001.



Jennifer Lord, 226-7860

The Social Security and Medicare Lockbox Act of 2001

H.R. 2

Committee on Rules

No Report Filed

Introduced by Mr. Herger *et al.* on February 8, 2001

Floor Situation:

The House is scheduled to consider H.R. 2 on Tuesday, February 13, 2001, under suspension of the rules. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 2, The Social Security and Medicare Lockbox Act of 2001, amends the Congressional Budget Act of 1974 to prevent the surpluses of the Social Security and Medicare Part A, Federal Hospital Insurance Trust Fund (from the FY2001 budget resolution), from being used for any purpose other than providing retirement and health security. The bill uses any Social Security or Medicare Part A surpluses to pay down the national public debt until such time as Medicare and Social Security reform legislation is enacted. The bill amends the Budget Act of 1974 to allow a point of order to protect Social Security and Medicare Part A surpluses in the House and in the Senate against any resolution, bill, motion, joint resolution, conference report or amendment whose enactment would cause the on-budget surplus to be less than the surplus of the Medicare Part A surplus for the same given year. The bill makes an exception to this point for Social Security and Medicare reform legislation.

The bill also makes it out of order in either body to consider any budget resolution, bill, joint resolution, conference report or amendment whose enactment would cause an on-budget surplus for any fiscal year to be less than the projected surplus of the Federal Hospital Insurance Trust Fund (as assumed in the most recently agreed to budget resolution) for that fiscal year. Finally, the bill authorizes a waiver or suspension in the Senate of points of order under this bill (the Social Security and Medicare Lockbox Act of 2001) only with a three-fifths majority.

Background:

Payments from Medicare Part A payroll taxes, which pay for the hospital benefit portion of Medicare, are expected to create surpluses of \$400 billion over the next ten years. Currently these surpluses are being used to fund programs that are not related to Medicare, which allows surplus budget numbers to appear larger than they really are. The Social Security Trust Fund is expected to produce an even larger surplus of \$2.5 trillion dollars over the next ten years. This legislation is designed to ensure that these sizeable surpluses are used for only two purposes: either reducing the public debt or strengthening their respective programs. This is achieved by excluding the Medicare Part A surplus from any on-budget surpluses and raising any points of order against legislation that would spend any of the Medicare Part A or Social Security Surpluses. Without a lockbox, these surpluses can be spent by Congress

on other programs.

Costs/Committee Action:

At press time, CBO had not released a cost estimate. Similar legislation (H.R. 3859) passed the House of Representatives by a vote of 420-2 on June 20, 2000.



Courtney Haller, 226-6871

Electronic Commerce Enhancement Act of 2001

H.R. 524

Committee on Science

No Report Filed

Introduced by Mr. Barcia *et al.* on February 8, 2001

Floor Situation:

The House is scheduled to consider H.R. 524 on Wednesday, February 14, 2001, under suspension of the rules. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 524 promotes electronic commerce in small and medium-sized businesses by identifying the challenges facing small businesses and establishing a program to assist them in overcoming obstacles as they enter the age of electronic commerce. Specifically, requires the Director of the National Institute of Standards and Technology (NIST) to establish an Advisory Panel to report on these challenges in integrating and utilizing electronic commerce technologies and business practices. The final report must include: (1) a three-year plan for NIST's Manufacturing Extension Partnership (MEP) program in the field of electronic commerce; (2) recommendations to addressing interoperability issues in electronic commerce; and (3) requires the MEP to establish a competitive grant program pilot program to assist manufacturers and businesses in integrating and utilizing electronic commerce technologies and business practices.

Background:

Small and medium-sized manufacturers (those with less than 500 employees) represent over 98 percent of all U.S. manufacturers. Estimates suggest that as eCommerce grows, sales through eCommerce alone will reach nearly \$3.2 trillion by 2003. In order to help our manufacturing businesses continue to thrive and contribute to economic growth, specific strategies must be developed to assist businesses in integrating successful eCommerce policies. These strategies should include enterprise integration, which involves the electronic linkage of manufacturers, assemblers, and suppliers to enable them to exchange product, manufacturing, and other business data within the supply chain. H.R. 524 seeks to assist these small and medium-sized businesses in fully involving themselves in eCommerce.

Cost/Committee Action:

H.R. 524 was not considered by a committee. However, H.R. 4429 (which is identical text to H.R. 524) passed the House of Representatives by voice vote on September 26, 2000.

CBO estimates that implementing the bill will cost \$10 million over the 2001-2005 period.

Courtney Haller, 226-6871

Rail Passenger Disaster Family Assistance Act of 2001

H.R. ____

Committee on Transportation & Infrastructure

No Report Filed

The bill will be introduced by Mr. Young on February 13, 2001

Floor Situation:

The House is scheduled to consider H.R. ____ subject to a rule on Wednesday, February 14, 2001. The Rules Committee will meet on Tuesday, February 13, 2001 at 5:30 p.m. to consider a rule. Information regarding the rule will be provided in a *Floor Prep* prior to consideration.

Summary:

H.R. ____ establishes a formal system to provide assistance to families of those involved in rail passenger accidents. The system applies only to accidents within the United States involving interstate intercity rail carriers or intrastate high-speed rail carriers. It does not affect accidents involving tourist, historic, or excursion rail carriers. The bill directs the National Transportation Safety Board (NTSB) to assign a director of family support services to assist the families of passengers involved in rail accidents by serving as a federal government contact person and acting as a liaison between the families and the rail carrier. The bill also requires the NTSB to designate a nonprofit organization to provide counseling and other support to the victim's families. In addition to mental health services, this third party will provide a private grieving area for families and help arrange accident victim memorial services.

H.R. ____ directs passenger carriers to develop a rail accident response plan. The bill outlines response plan guidelines and requires rail passenger providers to have their plans in place within six months of enactment. In addition, any rail passenger carrier involved in a major accident must provide a passenger list to both the NTSB and the designated third party organization. The rail carrier will not be liable for damages as a result of list disclosure. In addition, the bill prohibits attorneys from soliciting victims' families (excluding rail employees' relatives) for 45 days following the accident.

Background:

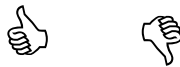
Congress approved the Aviation Disaster Family Assistance Act (*P.L. 104-264*) in reaction to the post-accident events of the 1996 ValuJet and TWA 800 aircraft crashes. Over the past three years, the success of the Act's aviation disaster procedures has persuaded law makers to establish similar procedures for rail carriers.

Currently, Amtrak is the only passenger rail service that will be affected by the bill's provisions. However, in the next few years, operators of rail passenger trains besides Amtrak may be required to adhere to the provisions. Many states have already investigated or begun planning for high-speed rail corri-

dors. The 1995 ICC Termination Act (*P.L. 104-88*) abolished federal market entry regulation of rail passenger service. In 1997, the Amtrak Reform and Accountability Act (*P.L. 105-134*) ended the former statutory monopoly of Amtrak over inter-city rail passenger service and authorized compacts among states to support inter-city rail passenger service. As rail passenger service continues to grow, the need for these procedures will become more important to the industry as a whole. Future rail operator additions and the subsequent higher number of passengers will increase the importance of implementing an industry-wide railroad accident response plan.

Committee Action:

The bill has not been considered by a committee. However, a substantively identical bill, H.R. 2681, was passed under suspension of the rules in the House by a voice vote on October 4, 1999. The Senate did not act on the bill.



Jennifer Lord, 226-7860